

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LEROY COOK, SR.,	§
	§ No. 77, 2011
Defendant Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 0608025757
Plaintiff Below-	§
Appellee.	§

Submitted: March 2, 2011

Decided: March 10, 2011

Before **STEELE**, Chief Justice, **HOLLAND**, and **RIDGELY**, Justices

ORDER

This 10th day of March 2011, after careful consideration of the opening brief, the State’s motion to affirm, and the record on appeal, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court’s well-reasoned decision dated January 28, 2011. The Superior Court did not err in concluding that appellant’s third motion for postconviction relief was procedurally barred and that appellant had failed to overcome the procedural hurdles.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Myron T. Steele
Chief Justice